

United States District Court

Report Date: March 30, 2011
 FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

for the

MAR 30 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK
 DEPUTY
 RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
 with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Michael J. Andrews

Case Number: 2:07CR00135-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 1/14/2009

Type of Supervision: Supervised Release

Original Offense: Assault Resulting in Serious
 Bodily Injury, 18 U.S.C. § 113(a)(6) and (b)(2)

Date Supervision Commenced: 1/4/2010

Original Sentence: Prison - 28 Months; TSR - 36
 Months

Date Supervision Expires: 1/3/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

21 You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

22 You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.

CAUSE

As the Court may recall, a violation report was submitted on February 3, 2011, regarding the defendant's alcohol consumption. No action was requested at that time due to the defendant's involvement in substance abuse treatment. On March 18, 2011, Mr. Andrews was arrested by Spokane Tribal Police for driving under the influence of alcohol, open alcohol container in his vehicle, and driving while his license was suspended. Charges remain pending in tribal court.

On March 25, 2011, Mr. Andrews met with the undersigned officer and discussed his ongoing noncompliance. He has requested more intense substance abuse treatment, and is currently applying for inpatient substance abuse treatment. Following a period of inpatient treatment, placement at a residential reentry center will further assist him in remaining clean and sober during his transition from inpatient. He is also requesting mental health counseling.

Prob 12B

Re: Andrews, Michael J.

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It is therefore respectfully requested that the defendant's terms of supervision be modified as noted above. Mr. Andrews is in agreement to this modification as evidenced by his signature on the attached waiver of hearing to modify conditions.

I declare under penalty of perjury that the foregoing is true and correct.

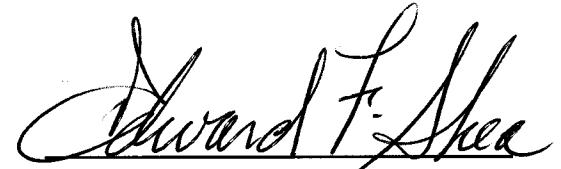
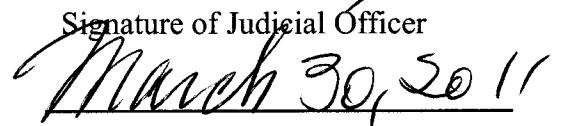
Executed on: 3/30/2011

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

No Action
 The Extension of Supervision as Noted Above
 The Modification of Conditions as Noted Above
 Other


Signature of Judicial Officer
Edward F. Shee

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 21 You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.
- 22 You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.

Witness:



Richard Law
U.S. Probation Officer

Signed:



Michael J. Andrews
Probationer or Supervised Releasee

March 29, 2011

Date